

**FIRST 5 CALIFORNIA
CHILDREN AND FAMILIES COMMISSION**

May 11, 2006

**Hilton Burbank Airport and Convention Center
2500 Hollywood Way, Burbank, CA 91505**

MINUTES

Agenda Item 1 – Call to Order

Chairman Hector Ramirez called the meeting to order at 9:10 a.m.

Agenda Item 2 – Roll Call

Commissioners Present: Alice Walker Duff
David Kears
Eliseo Medina
Hector Ramirez
Louis Vismara

Commissioners Absent: Don Attore

Ex-Officio Commissioners Absent: Scott Himmelstein
Joe Munso

Agenda Item 3 – Approval of Minutes

Chairman Ramirez requested edits to the March 16, 2006, Commission meeting minutes. Commissioner Duff identified some typographical errors. Commissioner Vismara requested that meeting minutes include more of the discussion following individual agenda items and that the format be revised to include public comment.

PUBLIC COMMENT: None.

ACTION: Commissioner Ramirez moved that the Commission approve the March 16, 2006, Commission minutes as amended and change the format of future minutes to include discussion and public comments. The motion was approved by a vote of four, with Commissioner Kears abstaining because he was not at the March Commission meeting.

Agenda Item 4 – Chairman's Report

Chairman Ramirez introduced himself and spoke about the six weeks since his appointment and what he hopes to accomplish as Commission Chair.

He commended Commissioner Duff for her outstanding work filling in as Chair for the Commission and thanked everyone for their warm welcome and help since he came on board. He currently is the Chief Operating Officer at Para Los Niños, which serves 2,500 children a day throughout Los Angeles and San Bernardino counties. Para Los Niños works with families with children under the age of 5 so he has a full appreciation for the Commission's work and responsibilities. He also worked in the county systems in public social service areas including Medi-Cal, Food Stamps, Child Protective Services and Foster Care. He is a former foster parent and is an adoptive parent. Chairman Ramirez announced the following:

Chairman Ramirez has spent a lot of time meeting with the Governor, Legislators and key legislative staff, hearing their concerns. He said that the Governor views the Commission now as a new entity of his education initiative; therefore, First 5 will be getting a lot of attention. Both Democratic and Republican Party leadership supports the Commission's work and realize the Commission is serious about its work and improving the lives of children and their families.

The Governor appointed a Health Officer to the Commission. Chairman Ramirez welcomed David Kears.

Regarding communications news, the newly revamped First 5 Web site will soon launch. It will help inform parents, caregivers and stakeholders of new resources and direct traffic to the site.

In recognizing last month's National Autism Awareness Month, the First 5 Association held a statewide videoconference, which brought together more than 650 professionals, educators, and advocates that allowed leaders in the field to share cutting-edge research, trends and effective ways to best serve autistic children and their families.

While keeping with our focus on health, the obesity prevention ads that launched earlier this year with Governor Schwarzenegger's Office have received a flood of positive feedback, including several requests from teachers and professionals nationwide to continue our efforts to education the community about these issues. The success of these ads resulted in a CNN en Español full interview about childhood obesity and First 5's ads.

Ten First 5 County Commissions participated in "Turn off TV Week," resulting in 20 print articles.

Working with rural counties, we encouraged families to register their children for kindergarten at local events. We also secured Public Service Announcements (PSAs) on half a dozen radio stations.

Our partnership with Univision has been really successful, generating a total of seven First 5 segments in Sacramento, Fresno, and San Diego.

In addition, PSAs ran on radio stations promoting free Baby and Me classes in Glenn County, a "Kindergarten Roundup" in Santa Cruz, and school readiness activities in Santa Cruz.

While there have been concerns about the media campaign, it has been effective. The campaign makes sure that our communities know the work that we are doing and that they can access services provided by the County Commissions.

Chairman Ramirez attended the Joint Legislative Audit Committee (JLAC) hearing on May 10. The hearing went smoothly and the Committee approved Assemblymember Dario Frommer's request to expand the audit of First 5 California. We will continue to fully cooperate with the auditors.

First 5 California has been responding to media inquiries and answering Public Record Act Requests regarding the most recent preschool ad campaign and will continue to work with reporters to ensure balanced coverage.

Commissioner Duff requested that the Commission recognize and thank former Commissioner Elizabeth Rice Grossman and former Chairman Rob Reiner for their contributions to the Commission. Executive Director Kris Perry explained that staff is working on legislative resolutions or proclamations for former Commissioners Sandra Gutierrez, Reiner and Grossman. Commissioner Vismara requested that we also acknowledge Health and Human Services Agency Secretary Kim Belshé, also a former Commissioner.

Commissioner Vismara commended First 5 Commission staff and the First 5 Association of California on the April 25 Autism televideo conference.

PUBLIC COMMENT: None.

Agenda Item 5 – Executive Director's Report

Executive Director Perry welcomed Commissioners Kears and Ramirez and thanked Commissioners Duff, Medina and Vismara for their support for staff during the past several months. Ms. Perry reported activities on the following:

ADMINISTRATION AND FINANCE

Staff Update

Farewell to departing staff:

- Richard Iniguez, Specialist of Migrant Farmworker Project, accepted a position as Manager for Community Care Services, with the Office of AIDS, for the Department of Health Services.
- Lance Vayder, Research Program Specialist, accepted a position with the Audits and Investigation Unit, under the Medical Review Branch for the Department of Health Services.

Welcome to new staff:

- Yvette Rowlett, Director of School Readiness, comes to us from the California Department of Education, where she was assistant to Deputy Superintendent of Curriculum and Support Sue Stickle. She also worked with Head Start in the Elk Grove School District.
- Michael Fong, Director of Administration, comes to us from the Department of Justice, where he was a budget supervisor in the Administrative Services Division.

- Lisa Pulido, Management Services Technician for Research and Evaluation, comes to us from the Department of Corrections and has worked for the Disabled Veterans Business Entrepreneurs Alliance and Families First.

Other staff changes:

- Steps are being taken to fill the Chief Deputy Director and Senior Information Services Administrator positions.
- Developing two new positions. One is for a Compliance Officer, an attorney who will provide in-house counsel and work with the Attorney General to enhance our capacity with contracts and other compliance issues. The second is a quality assurance position to help the Commission monitor compliance with the Commission's strategic plan and our objectives.

Office Space: The Office of Real Estate Services has signed a lease for First 5 California's new office. Staff is expected to move on or before October 1, 2006, to 2389 Gateway Oaks Drive, 2nd Floor, Sacramento.

State Audit: The State Auditor began the first phase of its audit on April 17, which consists of two to three months of information gathering and interviewing management. (This period has been extended due to the audit's expansion. See Agenda Item 12-Legislative Update on page 11.) Phase two will be a meeting with management to discuss findings and tests they will be performing, and then they will do their fieldwork. The auditors will share their draft report at an exit conference and will give First 5 five days to review the report and prepare a written response.

Public Records Request: Staff has completed several Public Records Act requests and is in the process of providing requestors with copies of documents of interest. The process will be completed this month.

PROGRAM AND TECHNICAL ASSISTANCE

The School Readiness Program continues to be a critical part of our work at First 5 California. Programs will apply for four-year funding in one of three annual application rounds. The first round of Cycle 2 applications were due on April 3, 2006. State staff received 65 applications, which were reviewed by a team of 19 people including County Commission representatives from across the state. Ms. Perry thanked the reviewers for their participation and time. Cycle 2 begins July 1, 2006, and continues through June 30, 2012. The round one application review process concluded with a reviewer conference call May 2, 2006. We are preparing written feedback to the County Commissions for each application. Lessons learned from the first set of applications in Cycle 2 will be shared in the monthly School Readiness Program conference calls, to assist programs applying in the two remaining application periods.

First 5 Collaboration and Planning with County Commissions: First 5 Management Team continues to meet with the First 5 Association Executive Committee to discuss upcoming agenda items, solve problems and develop mutually beneficial solutions. Meeting topics include the evaluation framework transition, small county augmentations, and preschool policy and implementation of demonstration projects.

Health Access for All Children: On May 1, First 5 received applications from seven counties in the fifth and final round for the Health Access for All Children Initiative. This

Initiative provides universal subsidized health insurance premiums for children whose family income is at or below 300% of the Federal Poverty Level and who are not eligible for Medi-Cal or Healthy Families. Applications were received from Merced, San Bernardino, Santa Barbara and one regional application representing Colusa, El Dorado, Sacramento and Yuba. There are now 23 First 5 County Commissions participating in this matching fund program, collectively representing approximately 70% of the total estimated number of children eligible for the Healthy Kids program. A more detailed discussion of the First 5 California Health Access Initiative is planned for the July Commission meeting, including opportunities available through the "Buy-In Option", which is under development.

Emily Nahat, Deputy Director for Programs, explained that we are targeting 100% of the eligible children for health access. The buy-in option will be critical in counties that do not have Medi-Cal managed health care plans. First 5 is working with the Commissions, the Association, private foundations and the Managed Risk Medical Insurance Board (MRMIB) to plan the program, expand the provider pool and identify funding.

PUBLIC COMMENT: None.

Agenda Item 6 – First 5 Association of California Report

First 5 Association of California Executive Director Sherry Novick provided an update on recent activities:

County Commissions are working to implement state laws passed last year, AB 109 and SB 35, related to public contracting, procurement and conflict of interest. She explained that vague language in the bills is undermining the goal of increasing operational consistency among the counties. The Association is sponsoring clean-up language in AB 2932 (Chan) to specify which laws the commissions must comply with. Bill has been on consent and should be in the Senate in a few days.

Association formed a partnership with the Government Finance Officers Association (GFOA), which assessed a sample of County Commissions to develop an extensive financial management book and highlight best practices. GFOA is now conducting fiscal management trainings throughout the state for County Commission fiscal officers. GFOA was impressed by Prop 10's structure because the statute calls for measuring outcomes.

The Association has spent the past year planning to implement First 5 California's new Evaluation Framework. They are working to identify outcomes and ways to publicize them to stakeholders at the state and local levels.

The Association is working with the AmeriCorps Program. A state grant has provided \$1 million per year for the past three years to fund 100 members participating in School Readiness programs in 15 counties. The Governor's Office of Community Service recently approved a 3-year renewal of the program. The Association has applied to the federal government for additional funding.

The Statewide Conference is in two weeks and 600 persons have registered. There are 28 workshops and 4 mini-institutes that focus on the Power of Preschool Initiative, the Special Needs Initiative, children ages 0-3, and childhood obesity prevention.

The video conference on Autism was very successful and the Association worked closely with county offices of education. It was a good example of how statewide technical assistance resource funds are being put to good use.

Per Chairman Ramirez's suggestion, the Association has made a request to County Commissions to submit photos and children's artwork to be displayed in the State Commission's new offices.

Commissioner Duff cautioned everyone to be sensitive about how we use the word "initiative," especially at sessions during the Statewide Conference to prevent confusion over our initiatives (e.g., Power of Preschool) with public voting initiatives. Ms. Novick is working with speakers about the terminology. Commissioner Vismara requested that we revisit our School Readiness "Initiative" nomenclature, to possibly consider School Readiness "Commitment," at a future Commission meeting.

Commissioner Duff commented that it is important for the Statewide Evaluation Framework to look at outcomes and changes related to adults because they have the most impact and influence on their children's behavior. Changing adult behavior and opinions is an essential part of First 5's mission, and should be grounded on public policy and research.

Commissioner Kears asked if there is consistent evaluation and reporting among County Commissions, which can be used to demonstrate meaningful outcomes on a statewide level. Ms. Novick explained that counties don't necessarily fund the same programs because their funding decisions are locally driven; therefore, they do not report on all the same things. Commissioner Duff explained that the State Commission's strategic planning process helps to focus the state on priority areas of school readiness and health access and the new Center for Results will focus on particular data to identify specific outcomes. Commissioners agreed that they would like to discuss how outcomes are presented at a statewide level as well as acknowledging the individual uniqueness of the counties as a future agenda item.

Ms. Novick explained that with the new law, County Commissions will now be audited in an expanded fashion (beyond traditional annual audits of the past) and the best practices presented in the GFOA guidebook will help them through the process successfully. Some County Commissions have more flexibility in changing their fiscal practices than others because some operate as departments within their counties while others operate independently. Chairman Ramirez said that the GFOA's guidebook for County Commissions will send a strong message to legislators that First 5 is implementing accountability principles. Ms. Novick suggested that GFOA might do another sampling of County Commissions' fiscal operations in about a year and issue a report to demonstrate how County Commissions have improved their practices. Commissioners agreed that this is something they would like to revisit.

PUBLIC COMMENT: None.

Agenda Item 7– Proposed Commission Meeting Calendar for the Year 2007

The Commission was presented with a proposed meeting calendar for 2007. Per Chairman Ramirez's recommendation, the proposed calendar allows for meetings to be held every other month, instead of quarterly, and in locations throughout the state

PUBLIC COMMENT: First 5 Association of California President Mike Ruane praised the decision to hold Commission meetings throughout the state as it will send a powerful message to the communities and allow them to provide input.

ACTION: Commissioner Duff moved to approve the proposed Commission meeting calendar for the year 2007 as amended with the understanding that Southern California is not just in Los Angeles (Riverside, San Diego or Indio might be considered), and that the July meeting will be held in Humboldt rather than in Sacramento. Commissioner Medina seconded the motion and the Commissioners unanimously approved it.

The approved dates are as follows:

January 25-26, 2007 *	Southern California
March 15, 2007	Sacramento
May 17, 2007 **	Bay Area
July 19, 2007	Sacramento
September 20, 2007	Central Valley
November 15, 2007	Sacramento

* The January Commission meeting is scheduled on the fourth Thursday of the month to allow staff sufficient planning time. (The holiday season limits our planning days.) All other monthly meetings are scheduled on the third Thursday of each month.

** The May meeting may be utilized for the Statewide Conference. A State Commission meeting can be scheduled in conjunction with the Statewide Conference, if necessary. The date and location for the Statewide Conference for 2007 has not been determined.

Agenda Item 8 – Commission Subcommittee Assignments

The Commission reviewed the authority of its subcommittee and current membership.

Proposed Commission Subcommittee Assignments

Subcommittee	Commissioner(s)	Lead Staff
Research and Evaluation	Don Attore David Kears	Patricia Skelton
Media and Public Relations	Hector Ramirez Alice Walker Duff	Elisa Bupara
Legislation	Louis Vismara Eliseo Medina	Tina Chiginsky
Statewide Partnerships	David Kears Eliseo Medina	Elisa Bupara
Equity Principles	Alice Walker Duff Louis Vismara	Emily Nahat (Barbara Marquez)
Executive	Alice Walker Duff Hector Ramirez	Kris Perry

Deputy Attorney General Janie Daigle explained that advisory subcommittee members do not need to be commissioners. Additional persons may be called in for consultation on issues as needed, but they would not become subcommittee members. Three commissioners on a subcommittee subject the subcommittee to Bagley Keene Act requirements.

There was discussion on the status of the Media Subcommittee; whether it should be advisory or have delegated authority. Ms. Perry explained that the Media Subcommittee has participated with First 5 California staff and contractors on a number of activities related to the development of mass media and communications, which included selection of ideas and scripts, review of rough cuts, participation in shoots, and review of material as it is narrowed for the public. Commissioners Vismara and Medina said that the delegated authority limited the Commission's input on decisions and that they would like more input. Ms. Daigle explained that delegated subcommittees are subject to Bagley Keene Act requirements yet are more flexible and can make decisions faster (e.g., approving media ads for example) than waiting for a regularly scheduled Commission meeting. Commissioners agreed that they can vote in advance to give advisory subcommittees delegated authority as needed.

Chairman Ramirez noted that Senator Don Perata, President pro Tempore, will soon be making an appointment to the Commission to fill the vacancy left by Elizabeth Rice Grossman, which will allow an additional Commissioner to serve on subcommittee(s).

Chairman Ramirez stated his desire to keep the current subcommittees intact so that work can be completed on current initiatives in the strategic plan, but that he would like

commission staff to review the subcommittees to see how they might better meet the needs of the Commission and its work.

Commissioner Vismara would like to review the goals and objectives of the Equity Principles Subcommittee as they may have changed over time. Commissioner Duff requested that the Advisory Committee on Diversity members be recognized for their work in some way.

Ms. Perry recommended that the Commission revisit each subcommittee's necessity and purpose when it goes through the strategic planning process. Commissioner Vismara suggested that staff make recommendations on how the subcommittees can coordinate with County Commissions, particularly on program implementation issues.

PUBLIC COMMENT: None.

ACTION: Commissioner Duff moved that the Commission approve the Commission's subcommittee assignments as advisory and as discussed and recommended. The Informal Care Subcommittee was eliminated and a new Executive Subcommittee was formed. Commissioner Kears seconded the motion and Commissioners approved it unanimously.

Agenda Item 9 – Special Needs Project Consultation

Staff recommended that the State Commission approve up to \$130,000 to expand the existing contract or enter into a new contract with the Sacramento City Unified School District for approximately one year to continue the services of Debra Merchant, Coordinator of the First 5 California Special Needs Project.

PUBLIC COMMENT: None.

ACTION: Commissioner Vismara moved to approve up to \$130,000 to extend First 5 California's contract, or enter into a new contract, with the Sacramento City Unified School District for approximately one additional year to continue the services of Debra Merchant, Coordinator of the First 5 California Special Needs Project. Over the course of the next year, staff is to develop and present to the Commission a process to build long-term internal capacity and expertise within the organization for addressing the needs of children with disabilities and other special needs in First 5 California endeavors. The motion was seconded by Commissioner Medina and unanimously approved by Commissioners.

Agenda Item 10 – Extension of Statewide Evaluation Contract with SRI International

Staff updated the Commission on the Statewide Research and Evaluation Contract. First 5 California is unable to award a new research and evaluation contract until there is a resolution to the pending protest. The Commission was presented with a request to extend the current statewide evaluation contract with SRI International through February 28, 2007 at a cost of up to \$4.5 million. The extension will allow First 5 California an opportunity to complete the contracting process or reissue a Request for Proposals (RFP) while maintaining the current level of statewide data collection and evaluation activities.

Patricia Skelton, Deputy Director of Research and Evaluation, described the work that will be done over the extended contract period, explaining that the award amount is based on past expenditures and the contractor will be paid on a cost reimbursement basis.

Commissioner Vismara requested that staff give an assessment of the KEP data that is being collected.

PUBLIC COMMENT: None.

ACTION: Commissioner Duff moved that the Commission approve \$4.5 million to contract with SRI International for statewide evaluation services for the period of August 1, 2006 to February 28, 2007. Commissioner Kears seconded the motion and Commissioners unanimously approved it.

Agenda Item 11 – Tour of First 5 California’s Redesigned Website

Communications Director Elisa Bupara introduced Shelly Holmes and Dan Shaw of The Rogers Group who provided an overview and tour of the redesigned First 5 California Web site. The Web site is expected to go on line in the coming weeks.

The redesigned Web site represents a more consumer-friendly and user-friendly site that better reflects the spirit of First 5 California and its programs and services. The intent is to have it serve as a useful source of information for parents, caregivers, County Commissions, legislators, stakeholders and the media. The Web site will be available in other languages in the coming months.

State Commissioners provided useful feedback and asked several questions:

Commissioners Duff and Vismara asked about the decision to use “.com” rather than “.org” or “.ca.gov”. Ms. Holmes and Mr. Shaw explained that the idea of a redesigned Web site with a new “.com” url makes the site more user and consumer friendly as most Web users are accustomed to using “.com”. Chair Hector Ramirez added that “.com” is also commonly used among Latinos.

Commissioner Medina asked about the title of the Children of Migrant Farm Workers page stating that not all farm workers are migrant farm workers. Mr. Shaw said he worked with program staff to arrive at the title. Commissioner Duff said she believes the title is a reflection of First 5’s Migrant Education Even Start program, which is directed at children of migrant farm workers. The correct title of the First 5 program is the Children of Farm Workers Project.

Commissioner Medina also asked whether Web users could get to the First 5 Web site in other languages directly. Mr. Shaw explained that all users in other languages would have to first visit the First 5 Web site where links to other languages are provided. Chairman Ramirez suggested that the icons to other languages could be moved from the bottom of the Web page to the top.

Commissioner Duff asked about purchasing additional urls for the other-language sites. Commissioners Ramirez and Duff requested that Ms. Perry work with the Equity Principles Subcommittee to review the Web site's content and see if any revisions are needed.

Executive Director Kris Perry said the Commissioners' concerns would be addressed and that the Web site redesign was produced using the most economic resources available.

PUBLIC COMMENT: None.

Agenda Item 12 – Legislative Update

Tina Chiginsky, Legislative Director, reported that staff is tracking 50 bills and that the Commission has taken positions on six of those. The legislation review criteria and process have worked well since they were adopted in January. The Legislative Subcommittee has met and taken positions on measures in a timely fashion. She cited two bills as examples. The Subcommittee approved a support position on the First 5 Association of Counties sponsored bill, AB 2932 (Chan), which amends AB 109 and SB 35 (Chapters 284 and 243, Statutes of 2005) to clarify which state laws regarding conflict of interest and contracting and procurement First 5 County Commissions must comply with. The second example was an oppose position on AB 2150 (McCarthy) which would have eliminated the First 5 Media and Administration accounts and used the money to fund new Ready to Start, a five-week kindergarten transition program. Ms. Chiginsky commended state staff, County Commission and Association representatives, the Commissioners and First 5 allies on their successful efforts to defeat AB 2150.

Ms. Chiginsky reported that JLAC approved a request made by Senator Dave Cox and Assemblymember Dario Frommer on May 10, 2006, to expand the First 5 audit to cover its contracting practices from a 2- to a 5-year window and will now include:

1. Review of the Commission's contracts back to its inception (previously, contracts back to 2003);
2. Examine media contracts in fiscal years 1999-20 through 2005-06 (previously looking just at media campaign); and
3. Determine if there was coordination between the Commission and other measures (in addition to Prop 82).

The State Auditor estimated the audit's completion in September or October. Ms. Chiginsky reported that Commissioner Ramirez assured the Committee that First 5 is cooperating fully with the auditors and will incorporate the State Auditor's findings into our policies and prevent similar questions (about the program) in the future.

At Commissioner Duff's request at the January 2006 Commission meeting, staff researched and provided her with information on human trafficking in California. While there is no evidence of this problem affecting children ages 0-5 or their parents, state staff will watch for information that pertains to the Commission's priority target groups and keep the Commission apprised of activities of the recently created *Joint Committee on Human Trafficking in California* and the *Statewide Task Force on Human Trafficking*. Commissioner Duff commented that the LA County Commission on Women is very active in the area and is a good resource on the issue.

Ms. Chiginsky reported that the Governor would release his revised proposed budget for FY 2006-07 on May 12, 2006. Chairman Ramirez commented that the Governor intends to expand healthcare for children and we are exploring how we might partner with the Administration on this issue.

PUBLIC COMMENT: None.

CLOSED SESSION – Chairman Ramirez excused the audience from the room.

Agenda Item 13 – Pending Litigation

Special counsel advised the Commission concerning the status of the Sacramento District Attorney's investigation of First 5 California (per Government Code Section 11126(e)(2)(B)(i)).

Agenda Item 14 – Pending Litigation

Legal counsel provided a status report on the Westat, Inc. v. Director of the California Department of General Services (SRI, International, and the California Children and Families Commission, Real Parties in Interest), Sacramento County Superior Court Case No. 06CS00606 [per Government Code sections 11126(e)(1) and 11126(e)(2)(A)].

END OF CLOSED – Vice Chairwoman Duff reconvened the open session.

Agenda Item 15 – Legal Services Contract

Ms. Perry requested approval of a legal services contract with First 5 California in order to retain counsel to represent the Commission regarding its legal issues related to the preschool advertisement campaign.

PUBLIC COMMENT: None.

ACTION: Commissioner Kears moved that the Commission approve Contract No. CCFC-7018 retaining special counsel DLA Piper Rudnick Gray Cary LLP for the period of 3-27-06 through 3-26-07 and fees of up to \$550,000. Commissioner Vismara seconded the motion and Commissioners unanimously approved it.

Agenda Item 16 – Adjournment

The Commission adjourned the meeting at 12:00 p.m. The next scheduled Commission meeting is July 20, 2006, in Sacramento.